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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,684	01/23/2002	John Paul Yagesh	1146_002	8767

20874 7590 01/12/2005
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SYRACUSE, NY 13202

EXAMINER

WEBB, JAMISUE A

ART UNIT PAPER NUMBER

3629

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,684

Applicant(s)

YAGESH ET AL.

Examiner

Jamisue A. Webb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites the limitation "the reserved carrier". There is insufficient antecedent basis for this limitation in the claim.
4. Claim 2 recites the limitation "the step of notifying" in line 1. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 3 recites the limitation "the step of permitting" in line 1. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 4 recites the limitation "the particular authority level" in line 1. There is insufficient antecedent basis for this limitation in the claim.
7. With respect to Claim 4: the phrase "the particular authority level to be notified" is indefinite. It is unclear to the examiner how a level can be notified. The authority can be notified, but how can a level be notified?
8. With respect to Claim 5: the phrase "the passenger" is indefinite. Claim 1 recites multiple passengers, therefore it is unclear what passenger "the" is referring to, since the claimed phrase in Claim 5 is in singular form.

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9. Claim 6 recites the limitation "the steps of obtaining" in line 1. There is insufficient antecedent basis for this limitation in the claim.

10. With respect to Claim 6: the phrase "responsively entering a database" is indefinite. It is unclear to the examiner who is entering the database and if something/someone is physically entering the database. It is unclear to the examiner how this can be done.

11. With respect to Claims 7 and 14: the phrase "said other information is obtained from federal, state and local authorities: is indefinite. Is it unclear to the examiner if the information is obtained from "all" of the authorities, or if this is an "or" statement, that the other information is obtained from one of the authorities.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sehr (6,085,976).

14. With respect to Claims 1 and 8: Sehr discloses the use of a pre-screening process to determine if a passenger is a threat comprising the steps of:

a. Collecting and recording reservation information of individual passengers
(Column 41, lines 11-35);

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- b. Inputting information into a processor where it is checked against stored databases (Column 41, lines 45-50); and
 - c. Determining if passenger poses a threat using a template (column 41, lines 45-60).
- 15. With respect to Claims 2 and 9: See Column 41, lines 50-55.
 - 16. With respect to Claims 3 and 10: See Column 41, line 67 to Column 42, line 3.
 - 17. With respect to Claim 4: Sehr discloses that the notification is sent to the particular law enforcement agency that is responsible for that particular passenger (Column 41, lines 50-55).
 - 18. With respect to Claims 5 and 12: See Column 14, lines 15-25.
 - 19. With respect to Claims 6, 11 and 13: Sehr discloses the passengers credit card information is linked to the passengers social security number (Column 10, lines 22-44, Column 11, lines 3-62 and Column 14, lines 15-40).
 - 20. With respect to Claims 7 and 14: Column 41, lines 45-55.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Department of Justice discloses what innovations are being undertaken at the INS to expedite inspections of travelers, Houvener (US 2004/0052403) discloses the use of an identity verification system, Beevor (US 2004/0080315) discloses the use of a security system to be used at an airport, Sweatte (6,335,688) discloses the use of a security method at an airport.

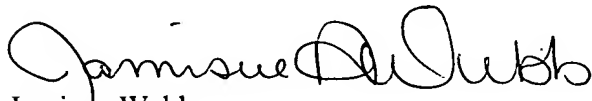
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (703) 308-8579.

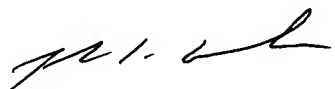
The examiner can normally be reached on M-F (7:30 - 4:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jamisue Webb


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